

REMARKS**INTRODUCTION:**

In accordance with the foregoing, claims 1, 4, 6, 12, 13, 16, 17, 21, 22, 25, 27, 30, 31, and 37-40 have been amended.

No new matter is being presented, and approval and entry of the foregoing amendments are respectfully requested.

Claims 1-22 and 24-40 are pending and under consideration. Reconsideration is requested.

REJECTION UNDER 35 U.S.C. §102:

1. Rejection of claims 1, 4, 5, 11, 14-22, 24, 25, 27-31, 35, and 37-39 in view of Ko et al.

In the Office Action at pages 2-9, the Examiner rejects claims 1, 4, 5, 11, 14-22, 24, 25, 27-31, 35, and 37-39 under 35 U.S.C. §102(b) in view of Ko et al. (Japanese Patent Publication No. 2000-90654). This rejection is respectfully traversed and reconsideration is requested.

By way of review, Ko et al. discloses, among other features, mass bodies 2 connected to a deck plate 1 using elastic bodies 3. (Abstract, FIGs. 2 and 3 of Ko et al.) However, as also seemingly acknowledged by the Examiner on page 19 of the Office Action in relation to claim 6, it is respectfully submitted that Ko et al. does not disclose "a mass body having substantially a ring shape and which is disposed around said deck plate" as recited in claim 1.

For similar reasons, it is respectfully submitted that Ko et al. does not disclose or suggest the invention recited in claims 27, 30, and 37.

Additionally, Ko et al. discloses elastic bodies 3 shown as being solid. (Abstract, FIGs. 2 and 3 of Ko et al.) Ko et al. does not suggest that the elastic bodies 3 are hollow. As such, it is respectfully submitted that Ko et al. does not disclose or suggest "a body that is flexibly changeable by an external force and has an internal space to allow compression" as recited in claim 4.

For similar reasons, it is respectfully submitted that Ko et al. does not disclose or suggest the invention recited in claims 21 and 31.

Additionally, on page 4 of the Office Action, the Examiner asserts that the elastic bodies 3 being connected to the mass bodies 2 of Ko et al. corresponds to the combined member as recited in claim 16. Specifically, the Examiner asserts that the recited injection molding process feature represents a product-by-process limitation that does not impart a physical distinction into the resulting product. As a point of clarification, where a process imparts a physical feature into

a final product, an applicant may claim the imparted physical feature in terms of the process. As noted in MPEP 2113:

[t]he structure implied by the process steps should be considered when assessing the patentability of product-by-process claims over the prior art, especially where the product can only be defined by the process steps by which the product is made, or where the manufacturing process steps would be expected to impart distinctive structural characteristics to the final product.

It is respectfully submitted that the process of injection molding imparts such a physical feature that is not disclosed or suggested by Ko et al.

Specifically, the process of injection molding is a process in which a material is injected into a mold. The liquid is cooled or otherwise becomes solid, and the resulting product is removed from the mold. As such, the process of injection molding results in a product of a single material having the shape of the mold. See, MCGRAW-HILL DICTIONARY OF SCIENTIFIC AND TECHNICAL TERMS, p. 1018 (5th Ed. 1997)(injection molding is “[m]olding metal, plastic, or nonplastic ceramic shapes by injecting a measured quantity of the molten material into dies”), THE RANDOM HOUSE DICTIONARY OF THE ENGLISH LANGUAGE, p. 983 (2nd Ed., Unabridged 1987)(injection molding is “a method of forming thermoplastic or thermoset plastic, metal, plastic, or ceramic material by injection into a closed mold.”)

As recited in claim 16, the mass body and the connection member are combined through the injection molding process. In contrast, Ko et al. does not disclose that the mass bodies 2 are of the same material as the elastic bodies 3. Further, Ko et al. does not suggest that the elastic bodies 3 are combined to the mass bodies 2 at a molecular level as occurs for a combined member created through an injection molding process. Therefore, it is respectfully submitted that the connection between the mass bodies 2 and the elastic bodies 3 in Ko et al. does not have the physical attributes of, and therefore does not disclose, “a combined member combined using an injection molding process” as recited in claim 16.

For similar reasons, it is respectfully submitted that Ko et al. does not disclose or suggest the invention recited in claim 38.

Lastly, while Ko et al. discloses the elastic bodies 3 extending through the mass bodies 2 as shown in FIGs. 2 and 3, the elastic bodies 3 extend through holes in the mass bodies 2 as shown in FIG. 3. As such, it is respectfully submitted that Ko et al. does not disclose that “said mass comprises a plate having a notch cut into a side of the plate and through which the mass is connected to the body” as recited in claim 17.

For similarly reasons, it is respectfully submitted that Ko et al. does not disclose the

invention recited in claim 22.

Claims 5, 11, 14, 15, 18-20, 24, 25, 28, 29, 35, and 39 are deemed patentable due at least to their depending from corresponding claims 1, 4, 17, 21, and 27.

2. Rejection of claims 1-5, 7-13, 15-22, 24-38, and 40 in view of Mingzhe

In the Office Action at pages 9-19, the Examiner rejects claims 1-5, 7-13, 15-22, 24-38, and 40 under 35 U.S.C. §102(b) in view of Mingzhe (Chinese Patent Publication No. 2342438). This rejection is respectfully traversed and reconsideration is requested.

By way of review, Mingzhe discloses a frame lower vibration damper 10 having notches 11 in the corners of the damper 10. Vibration pads 30 connect to the notches 11 to support the damper 10 to be between a CD readout unit 90 and a CD drive frame 92. The vibration pads 30 further connect and support the CD readout unit 90 above the CD drive frame 92. (Pages 13-14 of English translation of Mingzhe; FIGs. 3A through 3C, 7B, 8B, 9B, 10 and 11). However, as also seemingly acknowledged by the Examiner on page 19 of the Office Action in relation to claim 6, Mingzhe does not suggest "a mass body having substantially a ring shape and which is disposed around said deck plate" as recited in claim 1.

For similar reasons, it is respectfully submitted that Mingzhe does not disclose or suggest the invention recited in claims 12, 13, 27, 30, and 37.

Additionally, Mingzhe discloses the vibration pads 30 supporting the CD drive frame 92 as shown in FIGs. 3C, 7B, 9B, 10, and 11. As such, Mingzhe does not suggest that the vibration pads 30 do not support other objects while also supporting the damper 10. Therefore, it is respectfully submitted that Mingzhe does not disclose or suggest that "said connection member is not connected to said deck base" as recited in claim 4.

For similar reasons, it is respectfully submitted that Ko et al. does not disclose or suggest the invention recited in claims 21, 25, and 31.

Additionally, on page 13 of the Office Action, the Examiner asserts that the damper 10 being connected to the vibration pads 30 of Mingzhe corresponds to "said mass body and said connection member comprise a combined member combined using an injection molding process" as recited in claim 16. However, as noted above with regard to the Examiner comments with regard to the rejection of claim 16 in view of Ko et al., it is respectfully submitted that the connection between the damper 10 and the vibration pads 30 in Mingzhe does not have the physical attributes of, and therefore does not disclose, "a combined member combined using an injection molding process using an injection molding process" as recited in claim 16.

For similar reasons, it is respectfully submitted that Mingzhe does not disclose or suggest

the invention recited in claim 38.

Lastly, Mingzhe discloses the damper 10 being connected to the CD readout unit 90 using multiple vibration pads 30 as shown in FIGs. 3A and 3C. However, Mingzhe does not suggest that the damper 10 is or should be connected using only one of the vibration pads 30. As such, it is respectfully submitted that Mingzhe does not disclose or suggest "a mass body connected to said connection member and to be connected to the movable plate only by said connection member" as recited in claim 17.

Claims 2, 3, 5, 7-11, 15, 18-20, 22, 24, 26, 28, 29, 32-36, and 40 are deemed patentable due at least to their depending from corresponding claims 1, 4, 17, 21, and 27.

STATUS OF CLAIMS NOT REJECTED:

On page 19 of the Office Action, the Examiner objects to claim 6 for depending from a rejected claim. Since claim 6 has been made independent without narrowing the scope of the respective claims, it is respectfully requested that the Examiner reconsider and withdraw the objection to claim 6.

CONCLUSION:


In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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